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Lynne Finley
District Clerk
Collin County, Texas
By Tatiana Ortega Deputy
Envelope ID: 46023699

NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA.

NO. 417-53803-2020

IN THE INTEREST OF	§	**IN THE DISTRICT COURT**
	§	
S.L., J.L. AND L.L.	§	**417TH JUDICIAL DISTRICT**
	§	
CHILDREN	§	**COLLIN COUNTY, TEXAS**

EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

Michael Long, Petitioner, files this *Emergency Motion for Temporary Restraining Order* regarding Kelly Long, Respondent, and the following children, who are the subject of this suit:

Name	Gender	Birth Date
Sophie Long	Female	September 16, 2010
Jack Long	Male	November 11, 2012
Lucas Long	Male	December 19, 2013

Request for Temporary Restraining Order

1. Michael Long requests the Court to order that it is in the best interest of the children that Kelly Long be immediately temporarily enjoined from:

(a.) disturbing the peace of the children, or another party;

(b.) disrupting or withdrawing the children from the school or day-care facility where the children are presently enrolled without the written agreement of the parties or an order of this Court;

(c.) hiding or secreting the children from Michael Long or changing the children's current place of abode without the written agreement of the parties or an order of this Court;

(d.) making disparaging remarks regarding Michael Long or Michael Long's family in the presence or within the hearing of the children;

(e.) removing the children beyond a geographical area identified by this Court, acting directly or in concert with others without the written agreement of both parties or an order of this Court;

(f.) consumption of alcohol or a controlled substance, as defined by Chapter 481 of the Texas Health and Safety Code, within 12 hours prior to or during the period of access to the children;

(g.) being present within the same residence as the children between 10:00 p.m. and 7:00 a.m. with an unrelated adult with whom Kelly Long has an intimate relationship;

(h.) intentionally communicating by telephone or in writing with the other party by use of vulgar, profane, obscene, or indecent language or in a coarse or offensive manner, with intent to annoy or alarm;

(i.) threatening the other party in person, by telephone or in writing, to take unlawful action against any person, intending by this action to annoy or alarm the other party;

(j.) placing one or more telephone calls, anonymously, at an unreasonable hour, in an offensive and repetitious manner, or without a legitimate purpose of communication;

(k.) intentionally, knowingly, or recklessly causing bodily injury to the other party or to a child of any party; and

(l.) threatening the other party or a child of any party with imminent bodily injury.

2. Michael Long asks that the Court, on an emergency basis and without the required three-day's notice to Respondent, Kelly Long, enter a temporary restraining order with the following extraordinary relief, prohibiting Respondent, Kelly Long, acting directly or in concert with others, from the following:

(a.) Removing the children from the possession, custody, or control of Michael Long; and

(b.) Having any access, electronically, telephonically, or otherwise, to the children.

Restriction on Access

3. On information and belief, Kelly Long has a history or pattern of past and present sexual abuse directed against Sophie Long, Jack Long, and Lucas Long, and/or has been complicit in and failed to protect the children from abuse against the children. In support of the extraordinary relief requested herein, Petitioner/Father Michael Long offers the attached affidavit, Exhibit A.

4. Michael Long requests the Court to prohibit Kelly Long from having access to the children or, alternatively, entering a possession order under Section 153.004(d)(2) of the Texas Family Code

requiring that Kelly Long's periods of access be continuously supervised by an entity or person chosen by this Court.

Prayer

Michael Long respectfully prays for the above-requested relief, together with all other relief to which Michael Long may be justly entitled, at law or in equity.

Respectfully submitted,

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Attorneys for **MICHAEL LONG**

Certificate of Service

This is to certify that, pursuant to Rule 21 of the Texas Rules of Civil Procedure, a true and correct copy of the foregoing document has been served upon the below-named individual in the following manner as prescribed by Rule 21(a) of the Texas Rules of Civil Procedure on this the 7th day of September, 2020.

____ Hand Delivery ____ Federal Express ____ Certified Mail, Return Receipt Requested
____ Regular Mail ____ Facsimile __X__ Email __X__ E-Service

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By: Sarah Anne Lishman

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Attorneys for **MICHAEL LONG**

EXHIBIT A

NOTICE THIS DOCUMENT CONTAINS SENSITIVE DATA

NO. 417-53803-2020

IN THE INTEREST OF	**§**	**IN THE DISTRICT COURT**
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S.L., J.L. AND L.L.	**§**	**417TH JUDICIAL DISTRICT**
	§	
CHILDREN	**§**	**COLLIN COUNTY, TEXAS**

EXHIBIT A: AFFIDAVIT OF MICHAEL LONG

Comes Now, MICHAEL LONG, being sworn, says the following:

1. I am the biological father and parent of the minor children, Sophie Long, Jack Long, and Lucas Long, referenced above. I am over 18 years old and competent to testify. Kelly Long and I were divorced in 2015 and are both currently name Joint Managing Conservators, with Kelly Long having the primary right to determine the residence of the children. This case is a Modification of the Order in Suit Affecting the Parent Child Relationship signed July 9, 2020.
2. On Friday, September 4, 2020, I picked up my children from Kelly Long's care. My eldest daughter, Sophie, immediately began complaining about pain in her vaginal area. Although she would sporadically complain throughout the visit, the pain became so intense on Sunday, September 6, 2020, that my, wife, Kourtney Chalmers, began asking Sophie a number of questions and learned that she was having a green, sticky discharge in her panties that caused her concern. Further, she was screaming in the bathroom on toilet when she tried to urinate.
3. We immediately took Sophie to Guadalupe Regional Medical Center, where we learned that my nine-year-old daughter is suffering from an infection requiring IV antibiotics.
4. At that time, Sophie made yet another outcry of sexual assault against Jacob Bellington and implicating Kelly Long, as well. As a result, she was administered an examination by a Sexual Assault Nurse Examiner.
5. Sophie's doctors have told me that they suspected my daughter of being a victim of child abuse.
6. I have also learned that "Uncle Dan", or Daniel Apperton, another individual against whom Sophie made an outcry, was convicted on a felony drug charge, and lives at an address connected to a registered sex offender.
7. Recently, Sophie has told me that she is afraid she will be harmed if she returns to her mother. She indicated that her mother threatened to stab her in the neck while she was sleeping.
8. After learning from my attorneys today, September 7, 2020 that I was to return Jack and Lucas Long to Kelly Long in Seguin, Texas, I was confronted by law enforcement telling me that Kelly Long was in route to Seguin, Texas with armed security to take possession of **all three children, to include Sophie**. This information makes me in fear for the safety of all of my children, as well as myself and my family.
9. CPS has opened a case based upon Sophie's condition. Authorities at CPS advised me to keep all of the children safe from harm.
10. Further, this weekend Lucas has also expressed that both Grandma and Mom have shown him "creepy" pictures of "daddy", encouraging him to say how creepy and bad he is and that they are going to record Lucas and Jack saying that they are scared of Daddy and that they are going to post it to make people believe that he is scared of Daddy.
11. Sophie has stated the Mr. Jake was in her presence and involved in a sexual assault her during the time that she was Mom. This is not only concerning to me because of what they say, but also because Kelly Long may be in violation of the injunction to keep Jacob Bellington, the alleged perpetrator of sexual assault in this matter, away from the children.
12. My son, Jack has also recently reported that he gets hit with buckles while in Kelly

Long's care.

13. I am asking the Court to order no periods of possession or access to the children by Kelly Long, and I believe it to be in the best interest of the children.
14. Per the recent oral rulings of the Court, it is my understanding that I must return my Jack and Lucas Long to Kelly Long September 7, 2020 at 6:00 p.m. My family will suffer irreparable harm if the Court does not step in and stop Ms. Kelly Long exposing my children to the dangers of abuse and neglect.
15. The facts stated in this affidavit are based upon my own personal knowledge. Further Affiant Sayeth Not.

Dated: 9/7/20

MICHAEL LONG
Affiant

STATE OF TEXAS)
Nueces COUNTY)

Signed and sworn to before me in Nueces County, TEXAS, on September 7, 2020

/s/ Jennifer M. Garcia

Notary public, State of TEXAS, County of Nueces.
My commission expires 01.08.2023

1

JENNIFER M. GARCIA
Notary Public, State of Texas
Comm. Expires 01-08-2023
Notary ID 131845921

Automated Certificate of eService

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Irene Gonzales on behalf of Jamie Graham
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Status as of 9/8/2020 9:44 AM CST

Associated Case Party: Michael Long

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Sarah AnneLishman		sarahannelishman@gmail.com	9/8/2020 9:38:12 AM	SENT

Associated Case Party: Kelly Long

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